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ASHEVILLE, N.C.

JUN 21 2005

U.S. Dist. Court  
Dist. of N. C.

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION

FILED  
ASHEVILLE, N. C.

JUN 23 2005

U.S. DISTRICT COURT  
W. DIST. OF N. C.

UNITED STATES OF AMERICA  
upon the relation and  
for the use of the  
TENNESSEE VALLEY AUTHORITY  
Plaintiff

v.

Civil Action No. 2:05cv203

AN EASEMENT AND RIGHT-  
OF-WAY OVER 4.12 ACRES  
OF LAND, MORE OR LESS,  
IN CHEROKEE COUNTY,  
NORTH CAROLINA

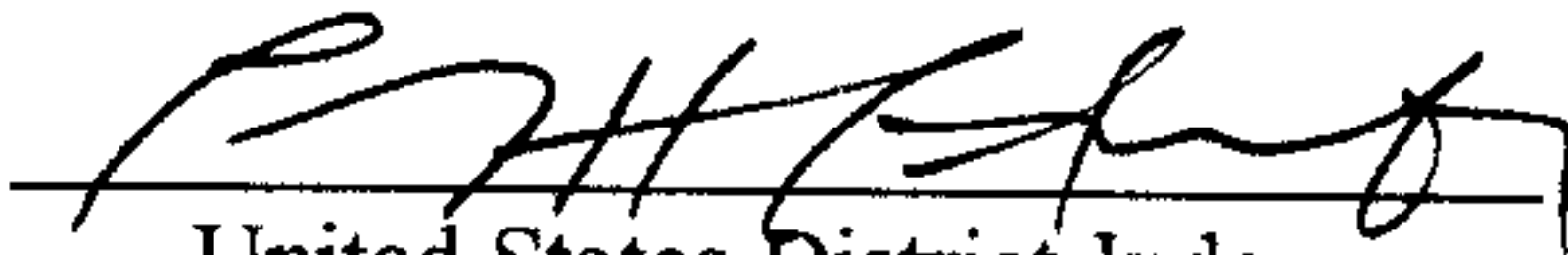
EDGAR C. HARTNESS, ET UX.  
Defendants

**ORDER OF POSSESSION**

Pursuant to 40 U.S.C. § 258a (2000), which authorizes the Court  
“to give the Government immediate possession of the [condemned] property”  
(*United States v. Miller*, 317 U.S. 369, 381, 63 S.Ct. 276, 87 L.Ed. 336 (1943)), it  
is hereby Ordered that the Tennessee Valley Authority, as agent of the United  
States of America, be put into immediate possession of the property described in  
the Declaration of Taking filed in this action to the extent necessary to permit the  
Tennessee Valley Authority to carry on any of its operations described in the

pleadings filed herein, and that the Defendants in such action surrender possession of the said property to the Tennessee Valley Authority accordingly.

This 23<sup>rd</sup> day of June, 2005.

  
United States District Judge

003737941